



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

DEC 10 2015

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to: OCE-101

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

NOTICE OF VIOLATION

The Honorable Robert Berlin
Mayor, City of Roberts
P.O. Box 242
Roberts, Idaho 83444

Re: March 24, 2015, NPDES Compliance Inspection
NPDES Permit Number ID0026913

Dear Mayor Berlin:

On March 24, 2015, the Idaho Department of Environmental Quality (IDEQ) inspected the City of Roberts Wastewater Treatment Plant (WWTP) in Roberts, Idaho on behalf of the United States Environmental Protection Agency (EPA). The purpose of this inspection was to determine the facility's compliance with the requirements of the Clean Water Act (CWA) and the National Pollutant Discharge Elimination System (NPDES) permit that applies to this site, NPDES Permit Number ID0026913. I would like to express my appreciation for your staff's time and cooperation during the inspection.

During the inspection, the IDEQ inspector evaluated the facility's operation relative to its NPDES Permit Number ID0026913. A review of the inspection report and EPA files revealed 17 violations. These findings are limited to those portions of the site covered during the inspection.

VIOLATIONS

Effluent Exceedance

Part I.A.1 states, "During the period beginning on the effective date of this permit the Permittee is authorized to discharge wastewater to Roberts Slough from Outfall 001 provided the discharge meets the limitations and monitoring requirements set forth herein. This permit does not authorize the discharge of any waste streams, including spills and other unintentional or non-routine discharges of pollutants, that are not part of the normal operation of the facility as disclosed in the permit application."

According to the DMR, the City of Roberts had seven exceedance violations as shown in the table below.

<u>Month/Year</u>	<u>Name</u>	<u>DMR Value</u>	<u>Permit Limit</u>	<u>Limit Type</u>	<u># Violations</u>
Jun 2011	Solids, total suspended	144	38 lb/d	Wkly Avg	7

Chain of Custody

Part I.E.1 states, "Throughout all sample collection and analysis activities, the permittee must use the EPA-approved QA/QC and chain-of-custody procedures described in: (1) *EPA Requirements for Quality Assurance Project Plans EPA-QA/R-5* (EPA/240/B-01/003, March 2001). A copy of this document can be found electronically at <http://www.epa.gov/quality/qs-docs/r5-final.pdf>; 2) *Guidance for Quality Assurance Project Plans EPA-QA/G-5*, (EPA/600/R-98/018, February, 1998). A copy of this document can be found electronically at <http://www.epa.gov/r10earth/offices/oea/epaqag5.pdf>. The QAP must be prepared in the form which is specified in these documents."

At the time of this inspection, the City of Roberts WWTP was not following the chain of custody techniques as outlined and is a violation of the above named part of the permit.

Quality Assurance Plan (QAP)

Part I.E.4 states, "The permittee must amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP."

At the time of the inspection, the City of Roberts WWTP was using the Colilert Quanti Tray 2000 testing method for E. coli rather than the Most Probable Number (MP) or Membrane Filter (MF) as outlined in the QAP. Failure to update the QAP is a violation of the above named part of the permit.

Reporting Requirement

Part II.B. 1 states, "The permittee must summarize monitoring results each month on the Discharge Monitoring Report (DMR) form (EPA No. 3320-1) or equivalent or forms provided or specified by the Director for reporting results of monitoring of sludge use or disposal practices. The permittee must submit reports monthly, postmarked by the 15th day of the following month. The permittee must sign and certify all DMRs, and all other reports, in accordance with the requirements of Part IV.E of this permit ("Signatory Requirements")."

Upon review of the Integrated Compliance Information System (ICIS) violations report, it was noted that the City of Roberts accumulated seven violations for failure to report information to the DMR as required by the above quoted part of the permit.

Calibration Reporting

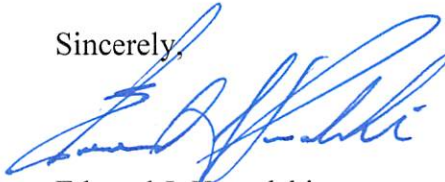
Part III.F states, "The permittee must retain records of all monitoring information, including, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of DMRs, a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application."

At the time of the inspection, the City of Roberts was unable to show that records were being kept on the routine calibration and maintenance of the flow meter. If the flow meter has not been properly calibrated, additional violations may be occurring due to inaccurate effluent calculations. A failure to record completion of calibration is a violation under the above named part of the permit.

Please be advised that although the EPA exercises every precaution to ensure accurate inspection findings, we do not want to dismiss the possibility that the inspectors may have failed to observe areas of noncompliance. Although our goal is to ensure NPDES facilities comply fully with permits, the ultimate responsibility rests with the facility. The EPA retains all rights to pursue enforcement to address any violations.

If you have any questions concerning this matter, please call Raymond Andrews of my staff at (206) 553-4252.

Sincerely,



Edward J. Kowalski
Director

Enclosure

cc: Stephen Berry
IDEQ, Compliance, Inspection, Enforcement Lead

Erick Neher
IDEQ, Idaho Falls Regional Office

Rick Lamb
WWTP Operator; Roberts, Idaho